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Via ECF

Honorable William F. Kuntz
United States District Court
Eastern District of New York 11201

Re: United States v. Kassin Rivers, 18-cr-192

Dear Judge Kuntz:

My client Mr. Rivers is over 60 years old and has multiple health issues previously corroborated with his medical records for a prior bail application. On July 15th I contacted the Bureau of Prisons, legal department to advise them that despite numerous requests from my client to provide him with hearing aids, it has been six months and sadly he remains quite deaf and has had no hearing aids provided. The response was the typical we will look into it.

To date he has not received hearing aids. While this is certainly serious and needs attention from the BOP, I received a more urgent call from my client yesterday advising me that he has been without toilet facilities and the officers have refused to either have the toilet repaired and have refused to take him to the toilet when necessary.

I have included the verbatim email to the MDC Legal Department I sent below.

“Dear Sophia and Nicole,

We have heard nothing on the failure to provide my client with hearing aids, do you have an update? He has to scream because he cannot hear. (see email dated July 15th.) He tells me that he cannot hear unless people scream at him. This is unacceptable.

Today, I received a call from my client and he was beside himself. His toilet has been BROKEN for three days and there has been a lockdown and Officers refuse to help him by allowing him to use another toilet but even worse have failed to repair the toilet. No one will tell him when it will get repaired. He has nowhere to use a toilet. Staff laugh at him when he asks for it to be repaired. The staff refused to let him out to call me until today.

He has nothing to do with the cause of the lockdown. It was a lockdown caused by activity from the top tier in his unit which was open at the time of the incident. He advised me that this top tier is housing young gang members. The lower tier was locked in at the time of the incident so could not have been responsible. He is in the lower tier. He advised me that the lower tier is basically housing old men. He reported that despite it being clear that the lower tier had nothing to do with the incident the staff came into his cell, destroyed his legal and personal papers, threw his medicines all over the cell.

The toilet MUST be repaired immediately.

PLEASE ADVISE ME BY TOMORROW AS TO WHAT ACTION HAS BEEN TAKEN TO REPAIR THE TOILET?

If there is not response and repair, I will have to file a motion tomorrow afternoon to the Judge.”

As of 4 p.m. today I have heard nothing from the BOP, although I did hear from AUSA Jonathan Algor who advised that he has made good faith attempts to remedy this urgent situation but has not had any success with BOP.

I am respectfully requesting that your honor so order this letter, ordering the BOP to address this broken toilet situation immediately and report back to either counsel and AUSA Algor or the court that it has repaired the toilet, and order that the BOP update counsel or the Court on the status of Mr. Rivers’ hearing aid.

I thank the Court for its attention to this matter.

Respectfully, submitted,

/s/

Dawn M. Cardi

Cc: All Parties (via ECF)